



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner
March 31, 2006

The Honorable Bob Odell, Chairman
Energy & Economic Development Committee
Room 102, Legislative Office Building
Concord, NH 03301

RE: HB 1534, Relative to Maintaining Construction and Demolition Debris
As a Solid Waste

Dear Chairman Odell:

I am unable to be present to testify personally before your Committee on HB 1534 when it comes up for a hearing on April 4, 2006. However, I wanted to take a moment to provide you my testimony on this important bill.

Up to this point, construction and demolition debris ("C&D") has always been regulated as a solid waste, pursuant to RSA 149-M, *et seq.* The solid waste law provides a meaningful framework within which the State and the Department of Environmental Services (DES) can regulate C&D in general and the wood component, more specifically.

The solid waste law of this state has functioned very well over its history and it takes into account the various interests that are involved in any solid waste application. These interests can include public health concerns, industry, public policy, the applicant's integrity, shoreland protection concerns and other issues that are addressed within RSA 149-M, *et seq.*

HB 1534 will make it clear that New Hampshire will continue to regulate the wood component of C&D as a solid waste just as it always has been. The solid waste law (RSA 149-M) provides all interested parties with the assurance that if an application is filed to use the wood component of C&D for some purpose that the application will be thoroughly reviewed using all the criteria found within the current solid waste law. This review is comprehensive and has historically worked well to protect both the public health and business interests.

In view of the foregoing, DES fully supported HB 1534 in the House and requests that your Committee support it with a recommendation that it ought to pass the full Senate.

Should you have any questions regarding this matter, please feel free to contact me.

Sincerely,

Michael Nolin
Commissioner